

### Remarks

Applicants have thoroughly considered the Examiner's remarks in the June 18, 2007 non-final Office action regarding pending claims 1-4, 7-21, 26-32, and 49-60. Applicants have amended claims 1, 7, 11, 16, 26, and 30-32, and canceled claims 2, 15, and 29. Claim 61 is new. No new matter has been added. Thus, claims 1, 3, 4, 7-14, 16-21, 26-28, 30-32, and 49-61 are pending.

Additionally, in anticipation of allowance, claims 30-32 have been amended to recite a computer-readable storage medium.

Accordingly, Applicants respectfully request reconsideration of claims 1, 3, 4, 7-14, 16-21, 26-28, 30-32, and 49-61 as amended and in view of the following remarks.

### Rejections under 35 U.S.C. § 103

*Claims 1, 2, 7, 11, 15-17, 19-21, 26, 29, and 30*

Claims 1, 2, 7, 11, 15-17, 19-21, 26, 29, and 30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,898,574 to Regan et al. ("Regan") in view of U.S. Patent No. 5,857,174 to Dugan et al. ("Dugan"). Applicants disagree, but have amended the independent claims rejected under this section to recite subject matter that is neither taught nor suggested by the cited art.

For example, the limitations of claim 2 have been added to independent claim 1, and claim 1 has been further amended to recite "categorize each of the plurality of appraisers based on the determined accuracy to predict appraiser performance on subsequent appraisals." Support for this amendment is found at least in paragraph [0061] of the present application.

Neither Regan nor Dugan, nor any of the other cited art, teaches or suggests each and every limitation recited in amended claim 1. In fact, both Regan and Dugan teach away from amended claim 1. Regan discloses a drop-down list of multiple agents, but fails to teach or suggest any notion of categorizing or ordering the agents based on historic appraisal accuracy. Further, it would be unreasonable to infer such features from Regan at least because Regan fails to identify any problem, or provide any motivation, to make such an inference. Rather, Regan is directed to providing real-time interaction between the lender or insurer and recovery agent, and does so via a simple user interface (the Recovery Module 140).

Similarly, Dugan is directed to improving the accuracy of an appraisal, but not to comparing, categorizing, or ordering (based on historic appraisal accuracy) a plurality of appraisers appraising multiple items over time. It would be unreasonable to infer such features from Dugan at least because Dugan fails to identify any problem, or provide any motivation, to make such an inference. Dugan teaches away at least because Dugan only discloses improving the accuracy and efficiency in a single appraisal, not tracking multiple appraisals from multiple appraisers over time.

For at least these reasons, Applicants request that the rejection of amended claim 1 be removed. To the extent that independent claims 7, 11, 16, 26, and 30 have been similarly amended, Applicants request that the rejection of independent claims 7, 11, 16, 26, and 30 also be removed. The dependent claims rejected under this section further limit their respective independent claims. For least these reasons, Applicants submit that the dependent claims are allowable for at least the same reasons that the independent claims from which they depend are allowable.

Further, new dependent claim 61 recites displaying “a list of the plurality of appraisers categorized based on accuracy to predict appraiser performance.” None of the cited art teaches or suggests such a limitation, and it would be unreasonable to infer such a limitation from the cited art. Applicants submit that new claim 61 is allowable.

Accordingly, Applicants request that the rejection of claims 1, 7, 11, 16-17, 19-21, 26, and 30 be removed. Claims 2, 15, and 29 have been canceled.

*Claims 3, 4, 8-10, 27, 28, 31, and 32*

Claims 3, 4, 8-10, 27, 28, 31, and 32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,898,574 to Regan et al. (“Regan”) in view of U.S. Patent No. 5,857,174 to Dugan et al. (“Dugan”) and further in view of Official Notice. Applicants disagree, but have amended the independent claims from which the claims rejected under this section depend to include allowable subject matter. The rejected dependent claims further limit the respective independent claims. For at least these reasons, Applicants submit that the rejection of claims 3, 4, 8-10, 27, 28, 31, and 32 should be removed.

*Claims 12-14*

Claims 12-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,898,574 to Regan et al. (“Regan”) in view of U.S. Patent No. 5,857,174 to Dugan et al. (“Dugan”) further in view of Official Notice and further in view of U.S. 5,966,699 to Zandi et al. (“Zandi”). Applicants disagree, but have amended the independent claim from which the claims rejected under this section depend to include allowable subject matter. The rejected dependent claims further limit the independent claim. For at least these reasons, Applicants submit that the rejection of claims 12-14 should be removed.

*Claim 18*

Claim 18 stands rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,898,574 to Regan et al. (“Regan”) in view of U.S. Patent No. 5,857,174 to Dugan et al. (“Dugan”) and further in view of U.S. Patent No. 6,594,633 to Broerman et al. (“Broerman”). Applicants disagree, but have amended the independent claim from which the claim rejected under this section depends to include allowable subject matter. The rejected dependent claim further limits the independent claim. For at least these reasons, Applicants submit that the rejection of claim 18 should be removed.

*Claims 49, 51, 53, 55, 57, and 59*

Claims 49, 51, 53, 55, 57, and 59 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,898,574 to Regan et al. (“Regan”) in view of U.S. Patent No. 5,857,174 to Dugan et al. (“Dugan”) and further in view of the Microsoft Computing Dictionary. Applicants disagree, but have amended the independent claims from which the claims rejected under this section depend to include allowable subject matter. The rejected dependent claims further limit the respective independent claims. For at least these reasons, Applicants submit that the rejection of claims 49, 51, 53, 55, 57, and 59 should be removed.

*Claims 50, 52, 54, 56, 58, and 60*

Claims 50, 52, 54, 56, 58, and 60 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,898,574 to Regan et al. (“Regan”) in view of U.S. Patent No. 5,857,174 to Dugan et al. (“Dugan”) and further in view of the Microsoft Computing Dictionary. Applicants disagree, but have amended the independent claims from which the

claims rejected under this section depend to include allowable subject matter. The rejected dependent claims further limit the respective independent claims. For at least these reasons, Applicants submit that the rejection of claims 50, 52, 54, 56, 58, and 60 should be removed.

**Conclusion**

It is felt that a full and complete response has been made to the Office action and, as such, places the application in condition for allowance. Such allowance is hereby respectfully requested.

Although the prior art made of record and not relied upon may be considered pertinent to the disclosure, none of these references anticipates or makes obvious the recited aspects of the invention. The fact that Applicants may not have specifically traversed any particular assertion by the Office should not be construed as indicating Applicants' agreement therewith.

**Applicants wish to expedite prosecution of this application. If the Examiner deems the application to not be in condition for allowance, Applicants request that the Examiner telephone the undersigned to discuss advancing prosecution of the present application in a timely manner.**

Applicants authorize the Commissioner to charge a one-month extension of time fee in connection with this Amendment to Deposit Account No. 12-384.

Respectfully submitted,



Daniel M. Fitzgerald, Reg. No. 38,880  
ARMSTRONG TEASDALE LLP  
One Metropolitan Square, Suite 2600  
St. Louis, Missouri 63102-2740  
(314) 621-5070

DMF/JJB/tmg  
Via EFS